

MELBOURNE PLANNING SCHEME

INCORPORATED DOCUMENT

‘Spencer Street Station redevelopment, June 2013

**Land within the Spencer Street Station Precinct,
generally bounded by Spencer Street, Collins Street,
Wurundjeri Way and La Trobe Street
(excluding the Melbourne City Mail Centre).**

**This document is an incorporated document in the Melbourne Planning Scheme
pursuant to Section 6(2)(j) of the Planning and Environment Act 1987**

INTRODUCTION:

This document is an incorporated document in the schedule to Clause 81 of the Melbourne Planning Scheme.

The land identified in the document may be developed and used in accordance with the specific controls contained in the document. The specific controls may exclude other controls in the Scheme.

If there is any inconsistency between the specific controls and the general provisions of the Scheme, the specific controls will prevail.

ADDRESS OF THE LAND:

This land is described as being within the Spencer Street Station Precinct, generally bounded by Spencer Street, Collins Street, Wurundjeri Way and La Trobe Street, Melbourne (excluding the Melbourne City Mail Centre).

THIS DOCUMENT ALLOWS:

Demolition and removal of existing buildings and works (including bulk excavation) and use and development of the land for the purposes of but not limited to, Transport terminal (including Retail premises), Railway, Tramway, Road, Place of assembly, Accommodation, Office, Retail premises (other than adult sex bookshop), Minor utility installation, ancillary car parking, public Car park, and advertising signage generally in accordance with the following plans:

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| F1 00 | Plan of Spencer Street Station Redevelopment |
| F1 01 | Basement Level Plan |
| F1 02 | Spencer Street Level Plan |
| F1 03 | Mezzanine Level Plan |
| F1 04 | Upper Concourse Level Plan |
| F1 05 | Typical (Residential) Car Park Level Plan |
| F1 06 | Typical Office / Residential Level Plan |
| F1 07 | Precinct Elevations |
| F1 08 | Precinct Sections |
| F1 09 | Sections |

In this document “Incorporated Plans” means Plans F1 00 - F1 09 inclusive. The Incorporated Plans form part of this document.

THE FOLLOWING CONDITIONS APPLY TO THIS DOCUMENT:

1. The use and development of the land may be undertaken in separate stages with the first stage being the Transport terminal.
2. The Transport terminal must be constructed generally in accordance with the Incorporated Plans and in accordance with the document titled “Spencer Street Station Transport Interchange Facility – Service and Development Agreement”.
3. Clause 52.05 (Advertising Signs) of the Melbourne Planning Scheme does not apply to this Incorporated Document. No external advertising signage shall be erected, painted or displayed without the written permission of the Responsible Authority.

4. Prior to the commencement of each stage of the development (excluding the Transport terminal) and excluding demolition and bulk excavation works, scaled Detailed Design Plans must be submitted to and be to the satisfaction of the Responsible Authority. The Detailed Design Plans must be generally in accordance with the Incorporated Plans and must show:
 - 4.1. Detailed architectural, elevations and section plans drawn to scale and dimensioned (including Reduced Level's), indicating location, height, design, use and floor area of all buildings and works including:
 - The design detail and revisions of the roof structure above 'Upper Concourse Level –F1-04 plan', west-end retail to ensure a distinctive and coherent architectural profile that is consistent with the image of the Station Precinct;
 - The design detail of the Collins – Bourke Streets link pedestrian bridge to ensure an average width of at least 5 metres and through public access provided at least during the operating hours of the building;
 - The design detail of the Lonsdale Street pedestrian bridge, its interface to the west end retail and Stadium concourse and connection to ground level to ensure there are no congestion points including uninterrupted width of through links and stairs;
 - The detail design of all canopies, projections, wind mitigation devices and weather protection awnings.
 - 4.2. The north elevation of the hotel building and the south elevation of the residential tower building to be aligned with the established building line of Lonsdale Street. The design detail and revisions of all ground floor and street façade podium level elevations indicating uses, at a scale of 1:200 in order to ensure:
 - 4.2.1. active street frontages, diverse building and architectural elements with a rhythm and appropriate scale to the street proportions, integrated signage and external lighting;
 - 4.2.2. architectural design feature at the termination vista of Little Bourke and Lonsdale Streets
 - 4.2.3. that high quality pedestrian amenity and safety at all interfaces with the development is established and maintained.
 - 4.3 A staging plan that must be submitted to and be approved to the satisfaction of the Responsible Authority in consultation with City of Melbourne. The staging plan must include plans and information of the details of the stages and the proposed temporary treatment and use of vacant land. The development must proceed in the order of the stages as shown on the endorsed plans unless otherwise agreed to in writing. In the event that construction activity has not commenced within 6 months of the completion of stage 1, the owner must construct reasonable temporary works on the land to the satisfaction of the Reasonable Authority in consultation with the City of Melbourne. Details of these works must be submitted to and be approved by the Responsible Authority in consultation with the City of Melbourne.

When approved the Detailed Design Plans shall be endorsed by the Responsible Authority.

5. When approved, the plans, schedules, details and reports referred to in the following conditions shall form part of the Detailed Design Plans. The use and development of any land or building shall be carried out in accordance with the Detailed Design Plans. The Detailed Design Plans must not be altered or modified in any way without the prior consent of the Responsible Authority.
6. Prior to the commencement of each stage of the development (excluding the Transport terminal) and excluding demolition and bulk excavation works, a schedule of all external materials and finishes including but not limited to the colour, type of materials, construction and appearance together with details of all external fixtures including lighting, must be submitted to and be to the satisfaction of the Responsible Authority.

7. Within twelve (12) months of commencement of each stage of the development (excluding the Transport terminal), a scaled and dimensioned detailed soft and hard landscape plan including elevations of any structures for the ground, podium levels and bridge structures, shall be submitted to and be to the satisfaction of the Responsible Authority. The plan shall include a schedule of all soft and hard landscape materials and treatments including street trees, automatic irrigation, planting schedule, urban design elements such as lighting and seating and clear demarcation of public realm and private spaces including arrangements for pedestrian/bicycle/vehicular circulation in the development.
8. A landscape management and maintenance plan must be submitted to and approved by the Responsible Authority prior to the commencement of all landscaping works in relation to each stage (excluding the Transport terminal). All landscaping works shall be undertaken within six (6) months of the completion of each stage.
9. All landscaping works must be maintained to the satisfaction of the Responsible Authority.
10. Prior to the commencement of the use, details of the management of the internal public spaces and 'streets', designed to ensure that they remain open to full public access during the operational opening hours of Spencer Street transport facility, must be submitted to and be to the satisfaction of the Responsible Authority.
11. The Bourke Street pedestrian bridge will remain open to full public access 24hours each day of the year.
12. The existing Bourke Street pedestrian bridge urban design element of red metal ribs and weather protection awning must be salvaged and re-used as part of the future construction of the Lonsdale Street pedestrian bridge, or otherwise to the satisfaction of the Responsible Authority.
13. Prior to the commencement of each stage of the development (excluding the Transport terminal) and excluding demolition and bulk excavation works, a comprehensive wind tunnel testing of the development must be undertaken by the owner(s) and a Wind Climate Assessment report provided to the satisfaction of the Responsible Authority. Any modifications required to the development in order to ensure acceptable wind conditions to the surrounding streets, public areas and podium rooftop spaces must be to the satisfaction of the Responsible Authority. The design details of any wind mitigation works must receive the endorsement of a suitably qualified wind climate expert with preference being given to the use of architectural features or devices in lieu of above ground level planting.
14. Prior to the commencement of each stage of the development (excluding the Transport terminal) and excluding demolition and bulk excavation works, a report from a suitably qualified environmental engineer must be submitted to the satisfaction of the Responsible Authority. The report shall detail the environmentally sustainable design measures incorporated into the designs of the buildings to achieve a four (4) star or greater rating based on the Building Greenhouse Rating Scheme (BGRS) or equivalent from the Sustainable Energy Authority Victoria.
15. Any building that will accommodate new residential or other noise sensitive uses must:
 - Be designed and constructed to include noise attenuation measures. These measures must achieve a maximum noise level of 45 dB(A) in habitable rooms with windows closed when music is emitted from the Major Sports and Recreation Facility in the Melbourne Docklands Area.
 - Be fitted with ducted air conditioning if the new or refurbished development is within 400 metres of the centre point of the Docklands Major Sports and Recreation Facility.

- Have external glazing, doors, air conditioning systems and ventilation systems which have been designed by a recognized acoustic consultant.

For the purposes of this requirement, noise sensitive uses are those that have an element of residential accommodation and are nested under the definition of Accommodation in the planning scheme.

16. Prior to the commencement of the development for Accommodation use or Office use (excluding the Transport terminal), and excluding demolition and bulk excavation works, a report from a suitably qualified engineer must be submitted to the satisfaction of the Responsible Authority to demonstrate that the design measures incorporated into the construction of the buildings will isolate and attenuate vibration associated with the operation of the railway track.
17. Prior to the commencement of the public car park use, a detailed Car Parking Management Plan must be prepared and be to the satisfaction of the Responsible Authority. The plan must show:
 - A maximum of 800 on-site public car spaces; and
 - At least 25% of these spaces to be set aside and operated as short stay parking.
 - The short stay places must be located convenient to the car park entry/exits and must be clearly sign posted and delineated as being available for short stay parking only.
18. The internal design of all car parks must be generally in accordance with Australian Standard 2890.1-1993 to the satisfaction of the Responsible Authority.
19. Prior to the commencement of development for the Office use, a traffic engineering assessment shall be submitted to and approved by the Responsible Authority to determine the impact of traffic associated with the Office car park upon the operation of Collins Street and tram services.
20. The areas for the parking of vehicles must be clearly indicated on the floor and the boundaries of all car parking spaces and access lanes and the direction in which vehicles should proceed along the access lanes must be in conformity with the endorsed Detailed Design Plans. The car parking spaces must not be used for any other purpose and all access aisles must be kept clear.
21. Bicycle and motorcycle parking in all car parks must be provided and located to the satisfaction of the Responsible Authority.
22. The car parking spaces associated with the Accommodation use and Office use must not be operated as a public car parking facility.
23. All tandem parking spaces should be assigned to the same residential unit.
24. The development shall include provision of bollards or other suitable pedestrian / vehicle separation devices at the car park entrances to the foyer and lift areas and laneways within the development and at vehicle access /egress points.
25. No vehicles shall be permitted to reverse into or out of the site at any time.
26. The loading or unloading of vehicles of goods, plant and materials or other items delivered to or dispatched from the land must take place within the boundary of the land.
27. Signage or flashing warning devices to the satisfaction of the Responsible Authority shall be installed at all car park and bus interchange exit points to alert pedestrians of exiting vehicular traffic and vice versa.

28. The existing street levels adjacent to the site must not be altered for the purpose of constructing a new vehicle crossing or pedestrian entrances without the prior written approval of the Melbourne City Council.
29. All necessary vehicle crossings must be constructed and all unnecessary vehicle crossings demolished and the footpaths adjacent to all boundaries of the property must be reconstructed in sawn bluestone and to accommodate street trees, at no cost to the Responsible Authority or Melbourne City Council and to the satisfaction of the Council.
30. All garbage and other waste material must be stored in an area within the subject site and set aside for such purpose to the satisfaction of the Responsible Authority and the Melbourne City Council.
31. No garbage bin or surplus materials generated by the permitted use may be deposited or stored outside the site and bins must be returned to the garbage storage areas as soon as practicable after garbage collection. Waste storage and collection arrangements must be to the satisfaction of the Melbourne City Council.
32. The glazing material used on all external walls must be of a type that does not reflect more than 20% of visible light when measured at an angle of incidence normal to the glass surface unless the Responsible Authority is satisfied otherwise.
33. The development must provide the capacity for television signal distribution to each dwelling. Any satellite dishes, antennae or similar structures associated with these dwellings must be designed and located at a single point for each building to the satisfaction of the Responsible Authority.
34. A storm water drainage system for the development must be constructed at no cost to the Melbourne City Council and make provision to connect this system to Council's underground stormwater drainage system and where necessary, upgrade the system to accept the discharge from the site in accordance with plans and specifications first approved by the Council.
35. A legal agreement if required, must be entered into with the Department of Sustainability and Environment (DSE) and or the Council under Section 173 of the *Planning and Environment Act 1987* prior to commencement of development concerning liability and maintenance of those parts of the development projecting into airspace or sub-soil of land under the care and maintenance of DSE and or the Council. The owner(s) of the property to be developed must pay all of DSE's and or Council's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title. To the extent that the Section 173 Agreement applies to any temporary works, upon completion of the development the Agreement shall lapse and shall be removed from the title.
36. The specific controls contained in this incorporated document will expire if one of the following circumstances applies:
 - (a) The development is not started within two years of the approval date;
 - (b) The development is not completed within ten years of the date of commencement of construction works.

The responsible authority may extend the periods referred to if a request is made in writing before the approval expires or within three months afterwards.

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